

REMARKS

Claims 1-7 and 9-10 remain pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

PRIORITY

The Office Action states that an application in which the benefits of an earlier application are desired must contain a specific reference to the prior application in the first sentence of the specification or in an application data sheet identifying the prior application by application number. The application data sheet filed with the original application papers on August 22, 2003 contains continuity information specifically referencing prior application number 10/228,633. The office action also states that if the prior application is a non-provisional application, the specific reference must also include the relationship between the applications. The continuity information in the application data sheet filed with the original application papers on August 22, 2003 identifies this application as a continuation in part of application no. 10/228,633.

DOUBLE PATENTING

Claims 1-3 and 5-6 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable of claims 1-7 of U.S. Patent No. 6,729,970. Applicant defers submitting a terminal disclaimer. The double patenting rejection may be moot after the Examiner considers the amendments and remarks contained herein.

Claims 4 and 7-10 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable of claims 1-7 of U.S. Patent No. 6,729,970 in view of 11-192328. Applicant defers submitting a terminal disclaimer. The double patenting rejection may be moot after the Examiner considers the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-3 and 7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by 11-192328. This rejection is respectfully traversed. Notwithstanding, claims 1-3 and 7 are amended.

Claim 1 calls for a set of golf club shafts including a first shaft subset and a second shaft subset. The first shaft subset consists of composite/metal combination shafts adapted to connect to iron club heads. The second shaft subset consists of either composite shafts (adapted to connect to iron club heads) or metal shafts (adapted to connect to iron club heads). 11-192328 fails to teach or suggest such a set of golf club shafts. At a minimum, 11-192328 fails to teach or suggest a first shaft subset consisting of composite/metal combination shafts. Rather, 11-192328 only teaches 3-9 irons made of CFRP shafts and at least one of a PW, AW, and SW made of metal shafts.

Claims 2 and 3 depend from claim 1 and are not anticipated by 11-192328 for at least the same reasons as set forth above with respect to claim 1.

Claim 7 calls for a set of golf club irons comprising: a first subset including a 3 iron, a 4 iron, and a 5 iron; and a second subset including a 6 iron, a 7 iron an 8 iron, a

9 iron, and a wedge. All shafts in the first subset consist of one of composite shafts, composite/metal combination shafts, and metal shafts. All shafts in the second subset consist of another one of composite shafts, composite/metal combination shafts, and metal shafts. In this way, the shafts in the first subset are different from the shafts in the second subset. 11-192328 fails to teach or suggest such a set of golf club irons. At a minimum, 11-192328 fails to teach or suggest: a first subset including a 3 iron, a 4 iron, and a 5 iron which all consist of one of composite shafts, composite/metal combination shafts, and metal shafts; and a second subset including a 6 iron, a 7 iron an 8 iron, a 9 iron, and a wedge which all consist of another of composite shafts, composite/metal combination shafts, and metal shafts. Rather, 11-192328 only teaches 3-9 irons made of CFRP shafts and at least one of a PW, AW, and SW made of metal shafts.

Claims 7-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Murtland. This rejection is respectfully traversed. Notwithstanding, claims 7, 9 and 10 are amended and claim 8 is cancelled.

Claim 7 calls for a set of golf club irons comprising: a first subset including a 3 iron, a 4 iron, and a 5 iron; and a second subset including a 6 iron, a 7 iron an 8 iron, a 9 iron, and a wedge. All shafts in the first subset consist of one of composite shafts, composite/metal combination shafts, and metal shafts. All shafts in the second subset consist of another one of composite shafts, composite/metal combination shafts, and metal shafts. In this way, the shafts in the first subset are different from the shafts in the second subset. Murtland fails to teach or suggest such a set of golf club irons. At a minimum, Murtland fails to teach or suggest: a first subset including a 3 iron, a 4 iron, and a 5 iron which all consist of one of composite shafts, composite/metal combination

shafts, and metal shafts; and a second subset including a 6 iron, a 7 iron an 8 iron, a 9 iron, and a wedge which all consist of another of composite shafts, composite/metal combination shafts, and metal shafts. Rather, Murtland only teaches an entire set of irons (2 – lob wedge) made of composite/metal combination shafts.

Claims 9 and 10 depend from claim 7 and are not anticipated by Murtland for at least the same reasons as set forth above with respect to claim 7.

REJECTION UNDER 35 U.S.C. § 103

Claims 1 and 2 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murtland in view of Fenton and Cook. This rejection is respectfully traversed. Notwithstanding, claims 1 and 2 are amended.

Claim 1 calls for a set of golf club shafts adapted to connect to iron club heads including a first shaft subset and a second shaft subset. The first shaft subset consists of composite/metal combination shafts adapted to connect to iron club heads. The second shaft subset consists of either composite shafts (adapted to connect to iron club heads) or metal shafts (adapted to connect to iron club heads). Murtland fails to teach or suggest such a set of golf club irons. At a minimum, Murtland fails to teach or suggest a first shaft subset consisting of composite/metal combination shafts and a second shaft subset consisting either of all composite shafts or all metal shafts. Rather, Murtland only teaches an entire set of irons (2 – lob wedge) made of composite/metal combination shafts. Fenton and Cook fail to cure this deficiency. Further, claim 1 is directed toward shafts adapted to connect to iron club heads. Fenton and Cook are

directed towards shafts for wood club heads. As such, the combination of Murtland, Fenton and Cook cannot render claim 1 unpatentable.

Claim 2 depends from claim 1 and cannot be rendered unpatentable by the combination of Murtland, Fenton and Cook for at least the same reasons as set forth above with respect to claim 1.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over 11-192328. This rejection is respectfully traversed. Claim 4 depends from claim 1 and cannot be rendered unpatentable by 11-192328 for at least the same reasons as set forth above with respect to claim 1.

Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over 11-192328 in view of Doolen. This rejection is respectfully traversed. Notwithstanding, claims 5 and 6 are amended.

Claim 5 calls for a set of golf club irons including a first shaft subset and a second shaft subset. The first shaft subset consists of composite/metal combination shafts. The second shaft subset consists of one of composite shafts and metal shafts. 11-192328 fails to teach or suggest such a set of golf club irons. At a minimum, 11-192328 fails to teach or suggest a first shaft subset consisting of composite/metal combination shafts. Rather, 11-192328 only teaches 3-9 irons made of CFRP shafts and at least one of a PW, AW, and SW made of metal shafts. Doolen fails to cure this deficiency. As such, the combination of 11-192328 and Doolen cannot render claim 5 unpatentable.

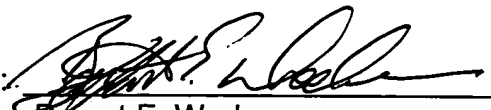
Claim 6 depends from claim 5 and cannot be rendered unpatentable by the combination of 11-192328 and Doolen for at least the same reasons as set forth above with respect to claim 5.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: 
Bryant E. Wade
Reg. No. 40, 344

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

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